

REMARKS

I. Status Of The Claims

Claims 1-32 are pending in this application, of which claims 1-28 and 32 are withdrawn from consideration.

Claims 29-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Feinleib (U.S. Patent Application Publication No. 2005/0028195).

Claim 29 is independent.

II. Rejection of Independent Claim 29

The Office Action rejects independent claim 29 under 35 U.S.C. 102(e) as being anticipated by Feinleib. However, Applicants respectfully submit that Feinleib fails, for example, to disclose, teach, or suggest:

“... one or more global caster modules for receiving content meant for distribution to all locations in a network; [and]

one or more local caster modules for receiving content meant for distribution to only certain locations in said network ...”

as set forth in the claim (emphasis added).

The Office Action apparently contends that Feinleib discloses “one or more global caster modules for receiving content meant for distribution to all locations in a network” in paragraph [0026], and that Feinleib discloses “one or more local caster modules for receiving content meant for distribution to only certain locations in said network” in paragraph [0028]. Applicants respectfully disagree.

Applicants note that the Office Action apparently more specifically contends that

Feinleib discloses “one or more local caster modules for receiving content meant for distribution to only certain locations in said network” by stating:

“[s]till another way is for a content provider to deliver its content to an intermediary broadcast center, which broadcasts the content to clients. This third approach is represented by either content provider 22(1) or 22(2) delivering packets to a broadcast center 30, which converts network data packets to broadcast packets and broadcasts the packets over a broadcast medium 32 to clients 24(3) and 24(4)”
(see Feinleib paragraph [0028]),

the Office Action remarking “[n]ote that 24(3) and 24(4) would be the ‘only certain locations’ ”.

However, Applicants respectfully observe that Feinleib’s discussion at paragraph [0026], argued by the Office Action to be disclosure of “one or more global caster modules for receiving content meant for distribution to all locations in a network”, states:

“[o]ne way is for the same provider to deliver both forms of content directly to the clients over the same distribution network. This situation is represented by content provider 22(1) serving streaming and enhancing content over network 26 to clients 24(1) and 24(2).”
(see Feinleib paragraph [0026]; emphasis added).

Applicants respectfully submit that if, for the sake of argument, paragraph [0028] is taken to be disclosing “one or more local caster modules for receiving content meant for distribution to only certain locations in said network” by stating “broadcast[ing] the packets over a broadcast medium 32 to clients 24(3) and 24(4)” (emphasis added), then by that logic paragraph [0026], by stating “serving streaming and enhancing content over network 26 to clients 24(1) and 24(2)” (emphasis added), is also disclosing “one or more local caster modules for receiving content meant for distribution to only certain locations in said network”, and is not disclosing, teaching, or suggesting “one or more global caster modules for receiving content

meant for distribution to all locations in a network". Applicants note, for example, that Feinleib merely discusses "content provider 22(1) serving streaming and enhancing content over network 26 to clients 24(1) and 24(2)", and fails, for example, to disclose, teach, or suggest content provider 22(1) serving streaming and enhancing content to clients 24(1), 24(2), 24(3), and 24(4).

Applicants further note that paragraphs [0068] – [0075] of Feinleib cited by the Office Action fail, for instance, to disclose, teach, or suggest the above-quoted of the claim, and instead merely discuss "one or more filters" employed by a recipient "client":

"[a]s video is received by the video control 78, elements of the enhancement stream (announcements, triggers, data files) are received at other components of the client. The enhancement announcements are passed through one or more filters 76, which examine each announcement for a match against a list of programs in which the user is interested, or against other types of predefined rules of acceptance. The filter(s) 76 retain the announcements of interest, and discard the rest"

(see Feinleib paragraph [0071]; emphasis added).

In view of at least the foregoing Applicants respectfully submit that claim 29, as well as those claims that depend therefrom, are in condition for allowance.

III. Dependent Claim Rejections

Applicants do not believe it is necessary at this time to further address the rejections of the dependent claims as Applicants believe that the foregoing places the independent claims in condition for allowance. Applicants, however, reserve the right to further address those rejections in the future should such a response be deemed necessary and appropriate.

CONCLUSION

Applicants respectfully submit that this application is in condition for allowance for which action is earnestly solicited.

If a telephone conference would facilitate prosecution of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized to charge any fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4500, Order No. 4208-4026. **A DUPLICATE OF THIS DOCUMENT IS ATTACHED.**

Furthermore, in the event that a further extension of time is required, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-noted Deposit Account and Order No.

Respectfully submitted,

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